

TO-1390

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.

**PCT/US2004/008807**

INTERNATIONAL FILING DATE

**22 March 2004**

EXPRESS MAIL LABEL NO.: EL970612976US

ATTORNEY'S DOCKET NUMBER: **G1231.0005U2**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/550072**

PRIORITY DATE CLAIMED

**21 March 2003**TITLE OF INVENTION: **EXPRESSION OF DESIRABLE PROTEINS IN PLANT ROOTS AND CELL CULTURES**

APPLICANT(S) FOR DO/EO/US:

**ILGA WINICOV**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825. The contents of the paper copy and the computer-readable form of the Sequence Listing submitted herewith are the same and include no new matter, as required by 37 C.F.R. 1.821(f).
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) <b>10/550072</b>		INTERNATIONAL APPLICATION NO. PCT/US2004/008807		ATTORNEY DOCKET NUMBER 01231.0005U2	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee .....				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee					
If written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....				\$ 0.00	
All other situations .....				\$200.00	
23. <input checked="" type="checkbox"/> Search Fee					
If written opinion prepared by ISA/US or the IPER prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....				\$ 0.00	
If Search fee (37 CFR 1.445(a)(2) in International Application to USPTO as ISA .....				\$100.00	
ISR prepared by an ISA other than the US and provided to USPTO .....				\$400.00	
All other situations .....				\$500.00	
TOTAL OF 21, 22 AND 23 =				\$ 400.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	No. of each additional 50 or fraction thereof (round up to a whole number)	RATE		
30 - 100	/ 50 =	0	X \$250	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	(8) - 20 =	0	X \$50.00	\$0.00	
Independent claims	(5) - 3 =	2	X \$200.00	\$400.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$930.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2				\$465.00	
SUBTOTAL =				\$465.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 months <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$*****	
TOTAL NATIONAL FEE =				\$465.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property				\$0.00	
TOTAL FEES ENCLOSED =				\$465.00	
				Amount to be refunded:	\$
				charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No.14-0629 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 14-0629. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p>e. <input checked="" type="checkbox"/> Pursuant to 37 C.F.R. §1.136(a)(3), the Commissioner is hereby requested and authorized to treat any concurrent or future reply in the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL TO THE ADDRESS ASSOCIATED WITH: : Customer No. 23859</p>					
<p><i>Gwendolyn D. Spratt</i> SIGNATURE Gwendolyn D. Spratt NAME 36,016 REGISTRATION NUMBER</p>					